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EXAMINER

LUONG, ALAN H

ART UNIT

PAPER NUMBER

2427

NOTIFICATION DATE

DELIVERY MODE

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ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/670,966	<b>Applicant(s)</b> KIM ET AL.	
	<b>Examiner</b> ALAN LUONG	<b>Art Unit</b> 2427	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,6,7,9,12,13,15-18,20-22,27,31,32 and 34-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6,7,9,12,13,15-18,20-22,27,31,32 and 34-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

*Applicant cancelled claims 8, 10, 11, 14, 19, 33, 42 and 43.*

### ***Response to Arguments***

1. Applicant's arguments with respect to claims **1, 6-7, 9, 12-13, 15-18, 20-22, 27 , 31-32, and 34-41** have been considered but are moot in view of the new ground(s) of rejection.

Applicants respectfully argue Otsuka and Lamkin do not disclose or suggest if the first operational mode is in a stop state and the second operational mode is in a play state and the displaying step is capable of displaying the additional data in full screen mode without A/V data. (Remark, page 10-11). Examiner respectfully disagrees.

In response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In this case, Examiner relies on Otsuka teaches "Fig. 3, video menu is disabled no A/V data displayed, and a specified mode is user agent mode, user can use HTML menu to perform web related function, such as retrieving a web document from the network

interface or a web document stored on the local optical disc. In DISPLAY\_MODE, Browser will full screen); (**Otsuka, ¶0043, ¶0055 and ¶0060**).

Examiner relies on Lamkin discloses “**wherein the N operating states include at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode together with displaying additional data in the second coincident operational mode in a synchronized state**”; (**Lamkin, ¶0044 and Fig. 5, ¶0071- ¶0075**) and “**wherein the N operating states are discriminatively defined on the basis of relations among operating modes**”; (**Lamkin, Fig. 9, ¶0148 and Fig. 10, ¶0154**)

*However, Otsuka and Lamkin fail to disclose or suggest Applicant's claimed “if the first operational mode is in a stop state”.*

Examiner relies on Gewickey teaches the new limitation of claim “if the first operational mode is in a stop state” (**Gewickey, Fig. 7, ¶0113, ¶0114**) (see new ground of rejection).

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1, 6-7, 9, 12-13, 15-18, 20-22, 27, 31-32, and 34-41** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Otsuka et al** (US 2003/0021593); in view

of **Lamkin** et al. (US Pub. 2006/0117344). further in view of **Gewickey** et al. (US Pub. 2003/0028892).

**Regarding to claim 1:** Fig. 1 of Otsuka illustrates a structure of optical disc player [100] supports **a method for controlling a playback operation in a media player device** as optical disc player [100], **the method comprising:**

Fig. 1 of Otsuka illustrates optical disc player [100] **receives a user input** at user control interface [114] **for selecting one of N operating states of the media player** (i.e. Play Video from the DVD disc or search information on the Web), **each of the N operating states including first and second coincident operational modes of the media player device** (i.e. playback\_mode as a first operational mode and User\_Agent\_Mode as a second operational mode), **the first coincident operational mode including reproducing audio/video (A/V) data recorded on a recording medium according to one of X playback states** (i.e. optical disc player operates in Normal Play back mode as one state, X=1), **the second coincident operational mode including processing additional data recorded on the recording medium according to one of Y operation states** (i.e. a program interpreter that recognizes certain functions stored in a program on the local optical disc 116 that controls the operations mode of the optical disc player 100 that includes the bool Force Mode which disallows user to change mode operation (i.e. User\_Agent Mode: Stop, Y=1 while Playback Mode active, X=1), bool SwitchMode which toggles user operation, (i.e. user agent mode in IDLE while Playback mode continuing; X=1, Y=2, N=2) and bool AllowModeSwitch which allows user to enable change between playback mode and

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user agent mode (i.e.  $X=1$ ,  $Y=3$ ,  $N=3$ ) (Otsuka, ¶0021-¶0039 and Fig. 3, ¶0041-¶0043). Fig. 2B of Otsuka shows a website document in a user agent mode wherein the HTML menu controls the playback of the video content stored on the local optical disc 116 as *the additional data being associated with the A/V data*; (Otsuka, ¶0019-¶0020) meets the limitation of “**operation states N equates production of play back mode states X and user agent mode states Y or expression  $N=X \times Y$  where the additional data being associated with the A/V data**”.

Further, Fig. 4 of Otsuka illustrates a operation [400] of player [100] is executed by processor [102], when user control interface [114] is activated by a user (Fig. 4, ¶0044) meets the limitation of “**operating the media player in the one of the N operating states in response to the user input**.”

Additionally, Fig. 2B of Otsuka illustrates play back mode for displaying video and HTML information on the screen of a displaying device [250] of Fig. 2B) (Otsuka, ¶0019) meets the claim “**wherein the N operating states include at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode together with displaying additional data in the second coincident operational mode**.”

However, Otsuka is missing with respect to “*reproducing the A/V data from the recording medium together with displaying additional data in a synchronized state*; and a state of discontinuing the playback of A/V data and displaying additional data received from the recording medium or the remote content provider in association with the A/V

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data, if the first operational mode is in a stop state and the second operational mode is in a play state.”

In an analogous art. Fig. 2 of Lamkin illustrates a computer (202) is any computer able to play/display both video or audio provided by the local content source (104) (***the A/V data***) and/or web or HTML content (***the additional data***) as provided by the offsite content source (106). Additionally, computer (202) can display both video and web/HTML content synchronously. (Lamkin, **Fig. 2, ¶¶0039-¶0041**)

Fig. 3 of Lamkin illustrates a set-top box [302] provides selected between content video or audio provided by the local content source (104) (as DVD contents [508] of Fig. 5); and ***the additional data*** (i.e. web or HTML content [506] of Fig. 5); as provided by the offsite content source (106); (**Lamkin, ¶0037**); combines both video and web/HTML content **in a synchronized state** providing to television (308) or display device [502] of Fig. 5, for display as shown on screen [504] of Fig. 5; (**Lamkin, ¶0044 and Fig. 5, ¶¶0071- ¶0075**) meets the limitation of claim “**wherein the N operating states include at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode together with displaying additional data in the second coincident operational mode in a synchronized state**”. Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention was made to modify the second coincident operational mode of Otsuka including accessing the internet to obtain artist information, order music, etc. for inserted disks and promotional information accessibility to further the aims of improving marketability and customer satisfaction. (Lamkin, **¶0007**)

Finally, combined with Fig. 2B of Otsuka illustrates **wherein the N operating states include at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode** as discussed above. Fig. 9, 10 of Lamkin illustrate determining if the inserted disk is a DVD or music CD (i.e. normal playback mode or InterActual mode associated with movie mode or system mode respectively; example; Fig. 9 at step 910; determine disk is DVD in system mode; the determination is made whether there is an active Internet connection (block 920), and if not, the file INDEX.HTM is launched from the DVD (block 922). Fig. 10 if disk is DVD If there is an active Internet connection, (block 1016), and if there is content for the current title (block 1020), it is displayed (block 1022) associated with the A/V data at step 1018.); **(Lamkin, Fig. 9, ¶0148 and Fig. 10, ¶0154)** meets the limitation of claim “**wherein the N operating states are discriminatively defined on the basis of relations among operating modes**”

Otsuka also teaches “**wherein the operating step includes discontinuing the playback of A/V data, no A/V data is displayed and displaying additional data received from the recording medium or the remote content provider in association with the A/V data and the displaying step displays the additional data in full screen mode.**

(i.e. at step 316 of Fig. 3, video menu is disabled, and a specified mode is user agent mode, user can use HTML menu to perform web related function, such as retrieving a web document from the network interface or a web document stored on the local optical disc. In DISPLAY\_MODE, Browser will full screen) **(Otsuka, ¶0043, ¶0055 and ¶0060).**



However, Otsuka and Lamkin are silent with respect to **“if the first coincident operational mode is in a stop state”**.

Gewickey *teaches* **if the first operational mode is in a stop state** (halted) (**Gewickey, Fig. 7, ¶0113, ¶0114**) (i.e. referring to Fig. 7, If in the content view 262, the user is accessing an enhancement control page 310 that includes a content window 314 (for instance, 1/4 screen size) playing a specific streaming video title with associated scene information and/or links 334 displayed within the page 310, and the user selects to switch or transition 344 to an other web site 324 (e.g., a transition to my.yahoo.com) as shown in full screen, When switching from the play mode 312 (or the enhancement control mode 310) to a web site 324 (e.g., a transition to my.yahoo.com), the media content is halted or paused,( i.e. the playback of movie 313 was halted) when there is a transition from play mode 312 to the enhancement control mode 310, and a bookmark is recorded).Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention was made to modify teaching of Otsuka and Lamkin with **if the first operational mode is in a stop state** (halted) as taught by Gewickey for presentation of enhanced, interactively- content is displayed only in full screen or in partial screen depending user look and feel.

**Regarding to claim 6:** Otsuka, Lamkin and Gewickey teach all limitation of the method of claim 1, Fig. 2A of Otsuka shows the optical disc player 100 of the invention operates as a standard DVD player. (**Otsuka, ¶0018 and ¶0046-¶0052**). It would have been obvious to one with ordinary skill in the art to know a normal DVD player can be operated in PLAY, STOP or PAUSE mode; meets the limitation of **“wherein the first**

**coincident operational mode comprises at least one of play playback states associated with reproduction of the A/V data”.**

**Regarding to claim 7:** Otsuka , Lamkin and Gewickey teach all limitation of the method of claim 6, Fig. 2B of Otsuka shows a website document in a user agent mode, addition, the HTML menu controls the playback of the video content stored on the local optical disc 116. (Otsuka, ¶0019-¶0020) meets the limitation of **“wherein the second coincident operational mode comprises play state associated with processing of the additional data.”**

**Regarding to claim 9:** Otsuka and Lamkin teach all limitation of the method of claim 7, Otsuka teaches **“wherein the operating step includes displaying a still picture of a A/V data from the recording medium and displaying additional data received from the recording medium or the remote content provider in association with the A/V data, if the first coincident operational mode is in a still state and the second coincident operational mode is in a play state”**; (i.e. at step 314 of Fig. 3, video menu is disabled, and a specified mode is user agent mode, user can use HTML menu in a play state); (Otsuka, ¶0043)

Gewickey teaches **“if the first coincident operational mode is in a STILL state”** (i.e. media content is halted); **Fig. 7, ¶0113, ¶0114** (see the same discussion in claim1). .

**Regarding to claim 12:** Otsuka, Lamkin and Gewickey teach all limitation of the method of claim 7, Otsuka discloses a specified mode in this case as a bool ForceMode which user agent mode is NOT operated to prevent user using HTML menu

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to control play back mode of DVD player while only play back mode of DVD player is allowed; and on DISPLAY MODE will display Video playback in Full screen; (**Otsuka**, step 306 of **Fig. 3, ¶0042 and ¶0056**) meets the limitation of “**wherein if the first coincident operational mode is in a play state and the second coincident operational mode is in an idle state, then the device plays back the A/V data and the device temporarily discontinues receiving additional data from the enhanced navigation medium or the remote content provider in association with the A/V data and wherein the playing back step is capable of playing back A/V data in full screen mode.**”

**Regarding to claim 13:** In the method of claim 7, Otsuka teaches “wherein the operating step includes **playing back the A/V data and continuing a receiving additional data from the remote content provider in association with the A/V data while discontinuing a displaying of the additional data, if the first coincident operational mode is in a play state and the second coincident operational mode is in an idle state;** (**Otsuka**, step 306 of **Fig. 3, ¶0042 and ¶0056**).

**Regarding to claims 15 and 16:** In the method of claim 1, Otsuka also discloses that wherein **if the first coincident operational mode is in a still state and the second coincident operational mode is in an idle state then the device temporarily discontinues playing back the A/V data and the device temporarily discontinues receiving additional data from the enhanced navigation medium.** (i.e. Otsuka discloses a specified mode in this case as a bool ForceMode which user agent mode is NOT operated to prevent user using HTML menu to control play back mode of DVD

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player while only play back mode of DVD player is allowed; and on DISPLAY MODE will display Video playback in Full screen; the processor 102 under the control of the program interpreter disables the user control interface 114 to prevent a user from changing the operations mode of the optical disc player 100. **(Otsuka, Fig. 2A, ¶0018, step 306 of Fig. 3, ¶0042)**

Gewickey teaches “**if the first coincident operational mode is in a STILL state**” (i.e. media content is halted); **Fig. 7, ¶0113, ¶0114**) (see the same discussion in claim1).

**Regarding to claim 17:** In the method of claim 1, Otsuka further discloses **wherein if the first coincident operational mode is in a stop state and the second coincident operational mode is in an idle state, then the device discontinues playing back the A/V data and the device temporarily discontinues receiving additional data from the enhanced navigation medium.** (i.e. at step 306 of Fig. 3, play back mode is enabled only, the processor 102 under the control of the program interpreter disables the user control interface 114 to prevent a user from changing the operations mode of the optical disc player 100) **(step 306 of Fig. 3, ¶0042)** meets the claimed with respect to “**the device temporarily discontinues receiving additional data from the enhanced navigation medium**”.

Gewickey teaches “**if the first coincident operational mode is in a STOP state**” (i.e. media content is halted); **Fig. 7, ¶0113, ¶0114**) (see the same discussion in claim1).

**Regarding to claim 18 :** In the method of claim 7, Otsuka discloses a specified mode in this case as a bool ForceMode which user agent mode is NOT operated to prevent

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user using HTML menu to control play back mode of DVD player while only play back mode of DVD player is allowed; and on DISPLAY MODE will display Video playback in Full screen; (**Otsuka, step 306 of Fig. 3, ¶0042 and ¶0056**) meets the limitation of **“wherein if the first coincident operational mode is in a play state and the second coincident operational mode is in stop state, then the device plays back the A/V data and the device temporarily discontinues receiving additional data from the enhanced navigation medium or the remote content provider in association with the A/V data and wherein the playing back step is capable of playing back A/V data in full screen mode.**

**Regarding to claim 20:** The method of claim 7, Otsuka further discloses **“wherein the operating step includes temporarily discontinuing a playback of the A/V data and discontinuing a receiving of additional data from the recording medium, if the first coincident operational mode is in a pause state and the second coincident operational mode is in a stop state”** merely repeats the same scope of claim 15 and 16, claim 20 is rejected for the same reason as discussed in claim 15, 16.

**Regarding to claim 21:** The method of claim 7, with respect to the claimed **“wherein the operating step includes discontinuing a playback of the A/V data and discontinuing a receiving of additional data from the recording medium or the remote content provider in association with the A/V data, if the first coincident operational mode is in a stop state and the second coincident operational mode is in a stop state”** merely repeats the same scope of claim 17, claim 21 is rejected for the same reason as discussed in claim 17.

**Regarding to claim 22:** Fig. 1 of Otsuka illustrates a block diagram of **an enhanced media player [100], comprising:**

**a playback engine [block 104] configured to reproduce A/V data from a recording medium [116];**

**a communication interface [110] configured to communicate with the remote content provider to receive the additional data; (¶0016, ¶0017, ¶0019).**

**a data storage [106 or 108] configured by processor [102] to store the additional data as a program interpreter from the remote content provider as web browser or internet or from the recording medium as local disc [116]. (¶0005, ¶0016).**

**an enhanced navigation engine [stored program in storage 116] configured to reproduce additional data from the recording medium [116] or a remote content provider through network interface [110]**

**a controller [102] operably coupled to the playback engine and the enhanced navigation engine and configured to control reproduction of the A/V data and/or additional data, (Otsuka, ¶0016-¶0017).**

Fig. 1 of Otsuka illustrates optical disc player [100] **has the controller [102] is configured to receive a user input at user control interface [114] for selecting one of N operating states of the media player** (i.e. Play Video from the DVD disc or search information on the Web), **each of the N operating states including first and second coincident operational modes of the media player device** (i.e. playback\_mode and User\_Agent\_Mode), **the first coincident operational mode including reproducing**

**audio/video (A/V) data recorded on a recording medium according to one of X playback states** (i.e. optical disc player operates in Normal Play back mode including PLAY,(Fast-Forward or Rewind), STOP and PAUSE or STILL), **the second coincident operational mode including processing additional data recorded on the recording medium or provided from the remote content provider according to one of Y operation states** (i.e. User\_Agent \_Mode in the bool ForceMode which disallows user to change mode operation, bool SwitchMode which toggles user operation, example: user agent mode in IDLE while Play mode continuing and bool AllowModeSwitch which allows user to enable change playback mode and user agent mode) (Otsuka, ¶0021-¶0039 and Fig. 3, ¶0041-¶0043),

Fig. 2B of Otsuka shows a website document in a user agent mode, additional information displaying with A/V information on PIP screen, the HTML menu controls the playback of the video content stored on the local optical disc 116. (Otsuka, ¶0019-¶0020) meets the limitation of “**operation states N equates production of play back mode states X and user agent mode states Y or expression  $N=XxY$  where the additional data being associated with the A/V data;**

Additionally, Fig. 2B of Otsuka illustrates play back mode for displaying video and HTML information on the screen of a displaying device [250] of Fig. 2B) (Otsuka, ¶0019) meets the claim “**wherein the N operating states include at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode together with displaying additional data in the second coincident operational mode.**

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Further, Otsuka teaches wherein the N operating states further include the displaying step is capable of displaying the additional data in full screen mode without A/V data; (Otsuka; ¶0055); (i.e. Display mode is DISPLAY\_WEB\_FULLSCREEN)

However, Otsuka is missing with respect to *“reproducing the A/V data from the recording medium together with displaying additional data in a synchronized state; and a state of discontinuing the playback of A/V data and displaying additional data received from the recording medium or the remote content provider in association with the A/V data, if the first operational mode is in a stop state and the second operational mode is in a play state.*

In an analogous art. Fig. 2 of Lamkin illustrates a computer (202) is any computer able to play/display both video or audio provided by the local content source (104) (***the A/V data***) and/or web or HTML content (***the additional data***) as provided by the offsite content source (106). Additionally, computer (202) can display both video and web/HTML content synchronously. (Lamkin, **Fig. 2, ¶0039-¶0041**).

Fig. 3, 5 of Lamkin illustrate a set-top box [302] provides selected between content video or audio provided by the local content source (104) (as DVD contents [508] of Fig. 5); and ***the additional data*** (web or HTML content [506] of Fig. 5); as provided by the offsite content source (106); (**Lamkin, ¶0037**); combines both video and web/HTML content **in a synchronized state** providing to television (308) or display device [502] of Fig. 5, for display as shown on screen [504] of Fig. 5; (**Lamkin, ¶0044 and Fig. 5, ¶0071- ¶0075**) meets the limitation of claim **“wherein the N operating states include**



**at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode together with displaying additional data in the second coincident operational mode in a synchronized state”.** Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention was made to modify the second coincident operational mode of Otsuka including accessing the internet to obtain artist information, order music, etc. for inserted disks and promotional information accessibility to further the aims of improving marketability and customer satisfaction. (Lamkin, ¶0007)

Finally, Additionally, combined with Fig. 2B of Otsuka illustrates **wherein the N operating states include at least a state of reproducing the A/V data from the recording medium in the first coincident operational mode** as discussed above, Fig. 9, 10 of Lamkin illustrate determining if the inserted disk is a DVD or music CD (i.e. normal playback mode or InterActual mode associated with movie mode or system mode respectively; example; Fig. 9 at step 910; determine disk is DVD in system mode; the determination is made whether there is an active Internet connection (block 920), and if not, the file INDEX.HTM is launched from the DVD (block 922). Fig. 10 if disk is DVD If there is an active Internet connection, (block 1016), and if there is content for the current title (block 1020), it is displayed (block 1022) associated with the A/V data at step 1018.) (Lamkin, Fig. 9, ¶0148 and Fig. 10, ¶0154) meets the limitation of claim **“wherein the N operating states are discriminatively defined on the basis of relations among operating modes”**

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However, Otsuka and Lamkin are silent with respect to “if the first coincident operational mode is in a stop state”.

In an analogous art, Gewickey *teaches*, if the first operational mode is in a stop state (halted) (no A/V data is displayed). (**Gewickey, Fig. 7, ¶0113, ¶0114**) (i.e. referring to Fig. 7, user can use remote control to select transition between modes ( Home page 280, Full screen 312 play mode, the enhancement mode 310, Internet mode 324) to display mode, When switching from the play mode 312 (or the enhancement control mode 310) to a web site 324 (e.g., a transition to my.yahoo.com), the media content is halted or paused, i.e. the playback of content was halted when there is a transition from play mode 312 to the enhancement control mode 310, the content is halted).

.Therefore, it would have been obvious to a person with ordinary skill in the art at the time of the invention was made to modify teaching of Otsuka and Lamkin with **if the first operational mode is in a stop state** (halted) as taught by Gewickey for presentation of enhanced, interactively- content is displayed only in full screen or in partial screen depending user look and feel.

**Regarding to claim 27:** The player of claim 22, Fig. 2A of Otsuka shows the optical disc player 100 of the invention operates as a standard DVD player. (**Otsuka, ¶0018 and ¶0046-¶0052**). It would have been obvious to one with ordinary skill in the art to know a normal DVD player can be operated in PLAY, STOP or PAUSE mode; meets the limitation of “**wherein the first coincident operational mode comprises at least one of play playback states associated with reproduction of the A/V data**”.

Fig. 2B of Otsuka shows a website document in a user agent mode, addition, the HTML menu controls the playback of the video content stored on the local optical disc 116.

**(Otsuka, ¶0019-¶0020) meets the limitation of “wherein the second coincident operational mode comprises play state associated with processing of the additional data.”**

**Regarding to claim 31:** The player of claim 27, Fig. 4 of Otsuka indicates **wherein the controller [102] is configured to control the enhanced media player to play back A/V data from the recording medium and to display additional data received from the recording medium or the remote content provider in association with the A/V data, if the first coincident operational mode is in a play state and the second coincident operational mode is in a play state”** (Otsuka, ¶0019, ¶0020, ¶0055, ¶0056).(i.e. DISPLAY\_MODE display\_mode variable specifies the display mode of the optical disc player 100; If the DISPLAY\_MODE display\_mode value is DISPLAY\_PIC\_IN\_PIC, then the displaying device coupled to the video/audio device interface 112 displays video playback mode and/or user agent mode in picture-in-picture format as shown in Fig. 2B); **(Otsuka, ¶0019, ¶0020, ¶0055, ¶0056).**

**Regarding to claim 32:** The player of claim 27, Fig. 4 of Otsuka also indicates **wherein the controller [102] is configured to control the operating state** when user activates the BUTTON switch (¶0044), with respect to the claim 32 merely repeats the same function components of claim 9, claim 32 is rejected for the same reasons as discussed in claim 9 **(see claim 9 rejection).**

**Regarding to claim 34:** The player of claim 27, Otsuka discloses **wherein the controller is configured to control the enhanced media player to play back the A/V data and temporarily discontinue receiving of additional data from the recording medium or the remote content provider in association with the A/V data, if the first coincident operational mode is in a play state and the second coincident operational mode is in an idle state.** (Otsuka, step 306 of Fig. 3, ¶0042 and ¶0056)

(i.e. Controller configures a specified mode as a bool ForceMode which user agent mode is NOT operated to prevent user using HTML menu to control play back mode of DVD player while only play back mode of DVD player is allowed; and on DISPLAY MODE will display Video playback in Full screen; (Otsuka, step 306 of Fig. 3, ¶0042 and ¶0056)

**Regarding to claim 35:** The player of claim 27, wherein the controller [102] is configured to control the enhanced media player to play back the A/V data and to continue receiving of additional data from the recording medium in association with the A/V data while discontinuing a displaying of the additional data, if the first coincident operational mode is in a play state and the second coincident operational mode is in an idle state” is met by Otsuka discloses that “*a specified mode in this case as a bool ForceMode which user agent mode is NOT operated to prevent user using HTML menu to control play back mode of DVD player while only play back mode of DVD player is allowed; and on DISPLAY MODE will display Video playback in Full screen*”; (Otsuka, step 306 of Fig. 3, ¶0042 and ¶0056)

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**Regarding to claim 36:** The player of claim 27, with respect to the claim 36 merely repeat the same function components of claim 21, claim 36 is rejected for the same reasons as discussed in claim 21; (see claim 21 rejection).

**Regarding to claim 37:** The player of claim 36, Fig. 4 of Otsuka indicates **wherein the controller [102] is configured to control the operating state** when user activates the BUTTON switch (¶0044), with respect to the claim 37 “**wherein the controller is configured to control the playback engine to display a still image of the last A/V data displayed**”, with respect to the claim 37 merely repeat the same features of claim 15, 16; claim 37 is rejected for the same reasons as discussed in claim 15, 16; (see claim 15,16 rejection).

**Regarding to claim 38:** The player of claim 27, Fig. 4 of Otsuka indicates **wherein the controller [102] is configured to control the enhanced media player to discontinue** when user activates the BUTTON switch (¶0044), with respect to the claim 38 merely repeat the same features of claim 21, claim 38 is rejected for the same reasons as discussed in claim 21; (see claim 21 rejection).

**Regarding to claim 39:** The player of claim 27, Fig. 4 of Otsuka indicates **wherein the controller [102] is configured to control the operating state** when user activates the BUTTON switch (¶0044), with respect to the claim 39 merely repeat the same features of claim 35, claim 39 is rejected for the same reasons as discussed in claim 35; (see claim 35 rejection).

**Regarding to claim 40:** The player of claim 27, Fig. 4 of Otsuka indicates **wherein the controller [102] is configured to control the enhanced media player to discontinue a playback of the A/V data**, when user activates the BUTTON switch (¶0044), with respect to the claim 40 merely repeat the same features of claim 20, claim 40 is rejected for the same reasons as discussed in claim 20; (see claim 20 rejection).

**Regarding to claim 41:** The player of claim 27, Fig. 4 of Otsuka indicates **wherein the controller [102] is configured to control the operating state** when user activates the BUTTON switch (¶0044), with respect to the claim 41 merely repeat the same features of claim 21, claim 41 is rejected for the same reasons as discussed in claim 21; (see claim 21 rejection).

### ***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN LUONG whose telephone number is (571)270-5091. The examiner can normally be reached on Mon.-Thurs., 8:00am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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